

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
BEFORE THE STATE BOARD OF PHYSICAL THERAPY EXAMINERS**

In the Matter of:

Rocklin Todd Hoover
License No. PT.1717

Respondent

ORDER

Respondent's Motion to Rescind
(CORRECTED)

This matter came before the Board of Physical Therapy Examiners ("Board") for a hearing on October 11, 2012, as a result of the Respondent's Motion to Rescind the Board's Temporary Order of Suspension. A quorum of Board members was present. The hearing was held pursuant to the provisions of the Administrative Procedures Act (the APA), S.C. Code Ann. § 1-23-10, et seq. (1976), as amended. Erin Baldwin, Assistant General Counsel, represented the State. The Respondent appeared, and was represented by J. Todd Rutherford, Esquire.

FINDINGS OF FACT

1. The Respondent is duly licensed as a Physical Therapist in South Carolina under license number PT.1717. He was first licensed by the Board on August 28, 1991. The Respondent's credential status with the Board is active, with the last renewal date effective December 28, 2010, and expiring December 31, 2012.
2. Respondent was issued a Temporary Order of Suspension on January 20, 2012, due to his non-compliance with an Order of Evaluation dated December 2, 2011.
3. Respondent took steps to comply with the Order of Evaluation, and was reinstated on February 16, 2012.
4. The Order of Evaluation did not specify an exact timeline in which Respondent was to notify the Board of the scheduled evaluation.

5. Respondent did schedule and undergo an evaluation.

CONCLUSIONS OF LAW


The issue before the Board is whether the Temporary Order of Suspension should have been issued and now should be upheld. Respondent does not dispute that he received and read the December 2, 2011, Order. Respondent maintains he substantially complied with the conditions in the December 2, 2011, Order, and that there was no specific timeline for notification to the Board in the December 2, 2011, Order.

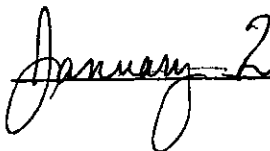
The Board upholds the Temporary Order of Suspension issued January 20, 2012; however, that Order should have been immediately stayed because the conditions of the Order of Evaluation were satisfied. Accordingly, the Motion to Rescind is DENIED; however, the Order of January 20, 2012, is retroactively stayed, effective January 20, 2012.

AND IT IS SO ORDERED.

**SOUTH CAROLINA DEPARTMENT OF LABOR,
LICENSING & REGULATION**

BOARD OF PHYSICAL THERAPY EXAMINERS

BY: 
Marilyn M. Swygert, P.T., D.P.T.
Board Chairman

 2013

South Carolina Department of Labor, Licensing & Regulation

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

In the Matter of:


ROCKLIN TODD HOOVER

PT . 1717

CERTIFICATE OF SERVICE BY MAIL

This is to certify that the undersigned has this date, January 11, 2013, served the Order Respondent's Motion to Rescind (CORRECTED) in the above entitled action upon all parties to this cause by depositing a copy hereof, in the United States mail, postage paid, or in the Interagency Mail Service addressed to the party(ies) or their attorney(s) to the following address:

ROCKLIN TODD HOOVER
[REDACTED]


Missy Jones
Administrative Assistant
SC Department of Labor, Licensing
and Regulation